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ATTORNEY'S DOCKET NO: C1040/7010 (HCL/MAT)

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09/168012  
01/22/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Heather L. Davis and Michael J. McCluskie  
Serial No: not yet assigned  
Filed: Herewith  
For: IMMUNOSTIMULATORY NUCLEIC ACIDS FOR INDUCING A TH2  
IMMUNE RESPONSE  
Examiner: Not yet assigned  
Art Unit: Not yet assigned  
Express Mail No.: EL583585920US

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.10(a)

I hereby certify that this document is being placed in the United States mail as Express Mail No. EL583585920US, postage attached, addressed to Box Patent Application: Commissioner for Patents, Washington, D.C. 20231 on the 22<sup>nd</sup> day of January, 2001.

Maryanne Trevisan  
Maryanne Trevisan

Commissioner for Patents  
Washington, D.C. 20231

**Attention: Box Patent Application**

Sir:

**TRANSMITTAL**

Transmitted herewith are the following documents:

- Utility Patent Application Transmittal**
- Specification (Total Pages 90)**  
**(70 pages of Description, 1 page of Abstract, 19 pages of Claims (153 claims),**
- Drawings (Total Pages 14) (Figs. 1-14)**
- Statement Under 37 C.F.R. §1.821(f)**
- Paper Sequence Listing (2 pages)**
- 3.5" Computer Disk**
- Return Receipt Postcard**

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 720-3500, Boston, Massachusetts.

Respectfully Submitted,

Helen C. Lockhart

Helen C. Lockhart (Reg. No. 39,248)

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Attorneys for Applicants

Attorney Docket No.: C1040/7010 (HCL/MAT)

Date: January 22, 2001

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U.S. PTO

Attorney Docket No. C1040/7010 (HCL/MAT)

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. C1040/7010 (HCL/MAT)

First Named Inventor or Application Identifier

DAVIS, et al.

Express Mail Label No. EL583585920US

Date of Deposit January 22, 2001

C878 U.S. PTO

01/22/01

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents

1.  Fee Transmittal Form  
(Submit an original, and a duplicate for fee processing)
2.  Specification [Total pages = 90]
  - 70 - pages description
  - 1 - pages abstract
  - 19 - pages claims
  - 153 - Total claims
3.  Drawing(s) (35 USC 113) [Total sheets = 14]
  - Informal  Formal [Total drawings = 14]
4.  Oath or Declaration [Total pages ]
  - a.  Newly executed (original or copy)
  - b.  Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 17 completed)  
*[Note Box 5 below]*
  - i.  **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
5.  Incorporation by Reference  
(usable if Box 4b is checked)  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

ADDRESS  
TO:
**Box Patent Application**  
 Commissioner for Patents  
 Washington, DC 20231

6.  Microfiche Computer Program (Appendix)
7.  Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a.  Computer Readable Copy
  - b.  Paper Copy (identical to computer copy)
  - c.  Statement verifying identity of above

**ACCOMPANYING APPLICATION PARTS**

8.  Assignment Papers/cover sheet & documents(s)
9.  37 CFR 3.73(b) Statement  
(when there is an assignee)
  - Power of Attorney
10.  English Translation of Document (if applicable)
11.  Information Disclosure Statement PTO-1449
  - Copies of IDS Citations
12.  Preliminary Amendment
13.  Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
14.  Small Entity Statement(s)
  - Statement filed in prior application, Status still proper and desired
15.  Certified Copy of Priority Document(s)  
(if foreign priority is claimed)

16. Other:

17. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information:

Continuation  Divisional  Continuation-in-part (CIP) of prior application No.:

Cancel in this application original claims of the prior application before calculating the filing fee.

Amend the specification by inserting before the first line the sentence:

This application is a  continuation  divisional of application serial no. , filed , entitled , and now .

## 18. CORRESPONDENCE ADDRESS

Correspondence address below

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## 19. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

NAME	Helen C. Lockhart, Reg. No. 39,248
SIGNATURE	<i>Helen Lockhart</i>
DATE	January 22, 2001